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16531#

October 6, 2005

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Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Mail Stop Amendment

Re: U.S. Utility Patent Application
Application No. 09/927,436; Filed: August 13, 2001
For: **Highly Homogeneous Molecular Markers for Electrophoresis**
Inventors: Tadayoni-Rebek *et al.*
Our Ref: 0942.5300001/RWE/ALS

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Credit Card Payment Form PTO-2038;
2. Fifth Supplemental Information Disclosure Statement Under 37 C.F.R. § 1.97(d);
3. One (1) page of Form PTO/SB/08A citing four (4) documents;
4. Copies of four (4) cited documents;
5. One (1) page of Form PTO/SB/08B citing four (4) documents;
6. Copies of four (4) cited documents; and
7. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
October 6, 2005
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

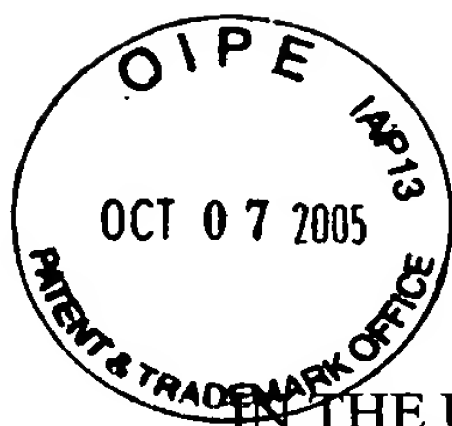
Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Aaron L. Schwartz
Attorney for Applicants
Registration No. 48,181

ALS/law
Enclosures
451290_1.DOC



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Tadayoni-Rebek *et al.*

Appl. No.: 09/927,436

Filed: August 13, 2001

For: **Highly Homogeneous Molecular
Markers for Electrophoresis**

Confirmation No.: 6227

Art Unit: 1653

Examiner: Lukton, David

Atty. Docket: 0942.5300001/RWE/ALS

**Fifth Supplemental Information Disclosure Statement
Filing Under 37 C.F.R. § 1.97(d)**

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO/SB/08A and Form PTO/SB/08B are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Fifth Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Fourth Supplemental Information Disclosure Statement filed on November 4, 2004, in connection with the above-captioned application. Copies of the documents are submitted herewith.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached Form PTO/SB/08A and Form PTO/SB/08B based on information presently available to the undersigned.

However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our PTO-2038 Credit Card Payment Form in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).

Pursuant to 37 C.F.R. § 1.97(e)(1), each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

It is respectfully requested that the Examiner initial and return copies of the enclosed Form PTO/SB/08A and Form PTO/SB/08B, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Aaron L. Schwartz
Attorney for Applicants
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Date: October 6, 2005

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Substitute for form 1449/PTO

FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known

Application Number	09/927,436
Filing Date	August 13, 2001
First Named Inventor	Mitra Tadayoni-Rebek
Art Unit	1653
Examiner Name	Lukton, David
Attorney Docket Number	0942.5300001/RWE/ALS

Sheet	1	of	1
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U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	AN1	EP 0 744 614 A2 EP 0 744 614 A3	11/27/1996 06/10/1998	Laboratory of Molecular Biophotonics		
	AO1	EP 1 001 968 B1	12/22/2004	Gryphon Therapeutics, Inc.		
	AP1	WO 01/75067 A2	10/11/2001	Hyseq, Inc. and Drmanac <i>et al.</i>		
	AL2	WO 02/13848 A1	02/21/2002	Invitrogen Corporation		

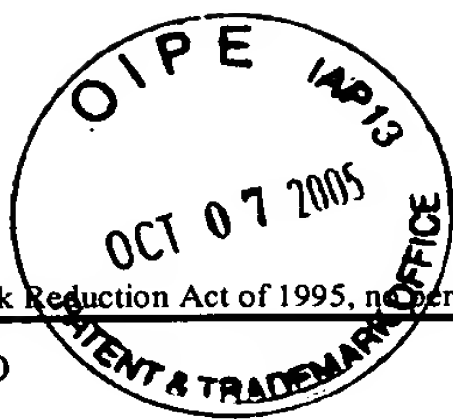
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Examiner Signature		Date Considered	
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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Substitute for form 1449/PTO				Complete if Known	
FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Application Number	09/927,436
				Filing Date	August 13, 2001
				First Named Inventor	Mitra Tadayoni-Rebek
				Art Unit	1653
				Examiner Name	Lukton, David
Sheet	1	of	1	Attorney Docket Number	0942.5300001/RWE/ALS

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published	T ²
	AT12	Blattner, F.R., <i>et al.</i> , "The Complete Genome Sequence of <i>Escherichia coli</i> K-12," <i>Science</i> 277:1453-1462, American Association for the Advancement of Science (1997)	
	AR13	EBI Database, Accession No. P75667, Blattner, F.R., <i>et al.</i> , Entry Date 1997	
	AS13	EBI Database, Accession No. ABG28754, Drmanac, R.T., <i>et al.</i> , Entry Date February 2002	
	AT13	<i>The Merck Index, Tenth Edition</i> , Windholz, M., <i>et al.</i> , eds., Merck & Co., Inc., Rahway, N.J., pp. 1001, 1002, and 1420 (1983)	

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Examiner Signature		Date Considered	
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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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